

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith. The present amendment is being submitted to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-17, 19-44, and 46-58 are currently pending. Claims 55-58 are new. Claims 18 and 45 have been cancelled without prejudice or disclaimer of subject matter. Claims 1-4, 6-17, 19-25, 28, 30, 31, 33-44 and 46-52 are hereby amended. Support for this Amendment is provided through the Specification as originally filed, and specifically on pages 26-27.

No new matter has been introduced by this amendment. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled. The claims have been amended, thereby obviating the 112 issue.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-5, 7-17, 19-22, 26-32, 34-44, 46-49, and 53-54 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,801,713 to Yagawa et al. (hereinafter, merely “Yagawa”) in view of U.S. Patent No. 5,390,027 to Henmi et al. (hereinafter, merely “Henmi”).

Claims 6, 23-25, 33, and 50-52 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Yagawa in view of Henmi and further in view of U.S. Patent No

5,999,691 to Takagi et al. (hereinafter, merely "Takagi"). (As noted in the previous response, Applicants assume that the Examiner meant to indicate "claim 33" in place of "claim 35.")

III. RESPONSE TO REJECTION

Claim 1 recites, *inter alia*:

"... wherein time base for display of each virtual channel advances when the virtual channels are not displayed." (Emphasis added)

Applicants respectfully submit that neither Yagawa, Henmi, nor Takagi, taken alone or in combination, teach or suggest the above identified feature of claim 1. That is, nothing in Yagawa, Henmi, or Takagi would teach or suggest that time base for display of each virtual channel advances when the virtual channels are not displayed, as recited in claim 1.

As a general discussion of the claimed feature, Applicants note that the present invention enables virtual channels to advance even when another channel is being displayed. Specifically, the present specification and figures describe the claimed feature in that virtual channels are not necessarily in alignment with a traditional breakpoint. Applicants reproduce portions of the specification and Figure 3 to facilitate a discussion of the claimed feature and how claim 1 is distinguished from the prior art. Indeed, the present specification states that:

"[0105] The start and end times of the programs on the real channel are in conformity with instructions on the broadcasting station side. On the other hand, **the start and end times of the programs on the virtual channels are not always necessary to conform to a breakpoint such as a period exactly every hour, quarter, half an hour and so on...**

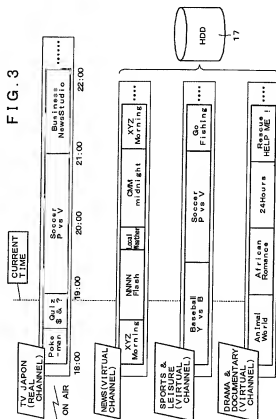
[0111] The user may watch the programs of different channels in sequence through the channel switching operation with the remote controller 60 or the like. While the channel at the uppermost stage in FIG. 5 represents the real channel called "TV Japon" now on the air, switching of the real channel to **the virtual channels is practicable continuously without distinction between the real channel and the virtual channels**. For instance, the downward cursor key of the

remote controller 60, if continued to touch down, switches over the channels in the order of programs titled "NNNN Flash", "Baseball Y vs B", "Animal World" . . . and "Quiz \$ & ?"....

[0112] **The time base is advancing independently on each virtual channel even for the period of time when the other channels are being selected. For instance, when the user switches over the real channel called "TV Japon" on the air to the other virtual channels after continuing to watch the program on the above real channel until the real time reaches 20:00, the programs titled "CNN midnight", "Baseball A vs T" and "24 hours" are in the process of being reproduced on the virtual channels.** (See present specification emphasis added)

Figure 3 of the present specification is reproduced below to illustrate the interaction between virtual channels and real channels. Indeed, the real channel is shown as well as a plurality of virtual channels as well as the time base for the various channels.

Patent Application Publication Jan. 24, 2002 Sheet 3 of 22 US 2002/0009283 A1



Furthermore, the claimed virtual channel advancement provides users a passive viewing technique in which each recorded program may be viewed by the user simply by the user performing a switching operation similar to a user switching between real channels. Indeed, the passive viewing technique permits a reduction in idle recorded programs.

Applicants respectfully submit that neither Yagawa, Henmi, nor Takagi, taken alone or in combination, teach or suggest the above identified feature of claim 1. That is, nothing in Yagawa, Henmi, or Takagi would teach or suggest that time base for display of each virtual channel advances when the virtual channels are not displayed, as recited in claim 1.

The Office Action concedes on page 3 that “Yagawa fails to teach wherein time base for display of each channel as recited in claim 1.” Instead, the Office Action relies on col. 13, lines 25-47 of Henmi for an alleged teaching of this feature. However, after a careful review of the cited portions of Henmi, Applicants respectfully traverse and request reconsideration. The cited portions of Henmi teach a fast-forward operation for recorded programs and fails to mention a virtual channel advancing.

Indeed, the background of the present application identifies a problem of recorded programs specifically:

“[0010] For instance, there is provided a method of displaying a list of names, channels and broadcasting dates or the like of recorded programs on a screen. However, it doesn't always follow that the user may grasp the program contents through such a display screen. Further, an attempt to display detailed information of each program also on the above display screen brings about a complication of images displayed on the screen, so that it becomes extremely difficult for the user to view the images on the screen.”

Applicants submit that Figure 7 of Henmi describes a list of recorded programs with a title and a date. Applicants respectfully submit that this does not teach or suggest advancement of virtual channels as claimed in claim 1.

Therefore, for at least these reasons, Applicants submit that independent claim 1 is patentable.

Independent claim 28 is similar, or somewhat similar, in scope, and is therefore patentable for similar, or somewhat similar, reasons.

IV. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above, and are therefore patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION


In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited references, it is respectfully requested that the Examiner specifically indicate those portion(s) of the reference(s) providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Applicants respectfully submit that all of the claims are in condition for allowance and request early passage to issue of the present application.

Respectfully submitted,

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